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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER	
PAULA, CESAR B	

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/887,306
Filing Date: June 22, 2001
Appellant(s): ROBLES ET AL.

Jack H. McKinney
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed on 7/26/2006 appealing from the Office action mailed on 1/23/2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

USPub. US 20010013947 A1 Vanderlinden (8/16/2001, filed on 12/28/2000).

USPat. 6,477,589 Suzuki et al (11/5/2002, filed on 3/15/1999).

USPub # 2004/0148335 A1 Keeney et al (7/29/2004, continuation filed on 10/16/2000).

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-5, 7-9, and 11-18 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Vanderlinden.

Regarding independent claim 1, Vanderlinden discloses the submission of print jobs to a reproduction center using a submission form, which is displayed by a remote browser, has pull-down menus, and control buttons for selecting printers, and print options, and submitting the print job —*a first user interface with user accessible controls for selecting services for producing a production request captured on the remote computing device*-- (0038-0046, fig.,3).

Moreover, Vanderlinden teaches the editing or changing of the submission form's pull-down menu to update functionalities available at the reproduction center, such as the adding a new printer to a reproduction center, whose capabilities are added to a pull-down menu for selecting the printer having the new functionality, as a result of the addition of a new printer capable of printing documents on transparent media. The updated information is placed, and displayed in the form's pull-down menu using a browser —*presenting to the remote computing device, a second user interface having user accessible controls for selecting one or more, if any,*

document production devices identified as being capable of providing services selected through the first user interface -- (0016, 0041, 0051, 0059, fig.3).

Furthermore, Vanderlinden discloses that after the user has selected several print options, a "job ticket" —*production plan*-- is produced from the submission form containing the various options selected by the user—*merging the selected services and the captured production request into a production plan.* The "job ticket" is then uploaded to a server, and to the selected printer for completing the print request—*delivering the production plan to one or more selected document production devices selected through the second user interface* (0035, 0042-0043, 0047-0049,005-0052, 0056). Vanderlinden fails to explicitly disclose: *delivering the production plan in a device specific format.* However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have delivered the plan in a device specific format, because Vanderlinden teaches above routing job tickets to a printer capable of executing the job at the lowest possible costs. Thus printing documents at a minimum price at a printer which understands and is able to carry out the print request.

Regarding claim 2, which depends on claim 1, Vanderlinden teaches the changing of the submission form to update capabilities available at the reproduction center, such as the adding a new printer to a pull-down menu as a result of the addition of a new printer capable of printing transparent media (0051).

Regarding claim 3, which depends on claim 2, Vanderlinden teaches a submission form for selecting of printers, including those to be included in the updated submission form including

capabilities available at the reproduction center, such as the adding a new printer to a pull-down menu as a result of the addition of a new printer capable of printing transparent (0051).

Regarding claim 4, which depends on claim 2, Vanderlinden teaches the changing of the submission form to update capabilities available at the reproduction center, such as the adding a new printer to a pull-down menu as a result of the addition of a new printer capable of printing transparent (0051). In other words, when the new printer is detected or queried by the client computer, then the update will take place on the submission form.

Regarding claim 5, which depends on claim 2, Vanderlinden teaches the changing of the submission form to update capabilities available at the reproduction center, such as the adding a new printer to a pull-down menu as a result of the addition of a new printer capable of printing transparent. The updated printer information is obtained from a device capability store—*querying a services database* (0051, 0059).

Regarding claim 7, which depends on claim 1, Vanderlinden teaches the changing of the submission form to update functionalities available at the reproduction center, such as the adding a new printer to a pull-down menu for selecting the printer, as a result of the addition of a new printer capable of printing transparent (0016, 0051, 0059, fig.3).

Regarding claim 8, which depends on claim 1, Vanderlinden teaches the display of a list of all pending print jobs along with their current status, such as waiting, being printed, or is

completed (0056-0059). In other words, the status is monitored to determine the progress of the print job, and then that status is displayed on the list.

Claims 9, 11-14 are directed towards a computer program product on a computer-readable medium for storing the steps found in claims 1-5 respectively, and therefore are similarly rejected.

Regarding claim 15, which depends on claim 14, Vanderlinden discloses the submission form includes messages for displaying the change in printing devices capabilities as a result of updates made to the device capabilities store—*services database updated with services not currently represented in this database*-- (0059-0060).

Regarding claim 16, which depends on claim 15, Vanderlinden discloses the submission form includes messages for displaying the change in printing devices capabilities as a result of updates made to the device capabilities store—*services database updated with services not currently represented in this database*—such as the addition of new printers—*services not available on the network and services database and updating the database with* the new printer added to the reproduction center (0051, 0059-0060).

Claims 17-18 are directed towards a computer program product on a computer-readable medium for storing the steps found in claims 7-8 respectively, and therefore are similarly rejected.

3. Claims 19-24, 26-29, 31, 34-37, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki et al, hereinafter Suzuki (USPat. 6,477,589, 11/5/2002, filed on 3/15/1999), in view of Keeney et al, hereinafter Keeny (USPub # 2004/0148335 A1, 7/29/2004, continuation 10/16/2000).

Regarding independent claim 19, Suzuki discloses a software image which allows a user to print processing to be started by selecting a "print" option—*capture driver operable to capture the document production request—a first user interface with user accessible controls for selecting services for producing a production request captured on the remote computing device*--—for sending a print job to a printer from a personal computer over a network(col.6, lines 37-67, col.19, lines 7-67, fig.1).

Moreover, Suzuki teaches displaying candidate devices, which meet a certain criteria, upon the selection of an option regarding the certain criteria on the software image —*second user interface having user accessible controls for selecting one or more, if any, document production devices identified as being capable of providing services selected through the first user interface* -- (col.19, lines 27-67, col.21, lines 57-col.22, line 67).

Furthermore, Suzuki teaches a window for selecting candidate devices, such as printers, meeting certain setting conditions, and a software automatically displaying candidates meeting the specified condition-- *automatically identify the one or more, if any, production devices, capable of providing the service selection to generate and provide the second user interface to the production client, and to receive selections made through the second user interface* (col.19,

lines 23-53, col.20, lines 57-col.22, line 67). Suzuki fails to explicitly teach *a production server in electronic communication with the production client and operable to direct one or more selected document production devices to produce the captured production request with selected services, the production server comprising: a services engine ....a production engine operable to deliver the captured production request to a production device or devices selected through the second user interface.* However, Keeny discloses a server—*production server*—which is connected with a client via a network, for routing the print job according to the requested print locations—*direct one or more selected document production devices to produce the captured document* (0022-0028, 0037). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined Suzuki, and Keeny, because Keeny teaches a secure, reliable, efficient, and easy-to-configure printing method through a firewall without the intervention of a network administrator (0019-0020). This would also provide the benefit of securely and efficiently submit print jobs to a printer over a network.

Regarding claim 20, which depends on claim 19, Suzuki discloses a software image which allows a user to print processing to be started by selecting a "print" option for sending a print job to a printer from a personal computer over a network(col.6, lines 37-67, col.19, lines 7-67, fig.l). Suzuki fails to explicitly disclose *to transform the production request into a selected format and to transfer the formatted production request to the production server.* However, Keeny discloses the conversion of a document to a pre-printing format, such as Postscript printer language to be submitted to the server (0022-0028, 0037, 0121). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined Suzuki, and

Keeny, because Keeny teaches a secure, reliable, efficient, and easy-to-configure printing method through a firewall without the intervention of a network administrator (0019-0020). This would also provide the benefit of securely and efficiently submit print jobs to a printer over a network.

Regarding claim 21, which depends on claim 19, Suzuki discloses a software image which allows a user to print processing to be started by selecting a "print" option for sending a print job to a printer from a personal computer over a network(col.6, lines 37-67, col.19, lines 7-67, fig.l). Suzuki fails to explicitly disclose *the client interface is a web browser.* However, Keeny discloses the print job originating from a client having a web browser —*interface translator*-- (0024). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined Suzuki, and Keeny, because Keeny teaches a secure, reliable, efficient, and easy-to-configure printing method through a firewall without the intervention of a network administrator (0019-0020). This would also provide the benefit of securely and efficiently submit print jobs to a printer over a network, such as the Internet.

Regarding claim 22, which depends on claim 19, Suzuki teaches a window for selecting candidate devices, such as printers, meeting certain setting conditions, and a software automatically finding, and displaying candidates meeting the specified condition—*identify services available on the network*-- (col.19, lines 23-53, col.20, lines 57-col.22, line 67).

Regarding claim 23, which depends on claim 22, Suzuki teaches a unit list table—*database of known services*-- storing device information regarding the devices connected to the network (col.20, lines 9-67). Suzuki fails to explicitly teach the production server. However, Keeny discloses a server—*production server*—which is connected with a client via a network, for routing the print job according to the requested print locations—*direct one or more selected document production devices to produce the captured document* (0022-0028, 0037). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined Suzuki, and Keeny, because Keeny teaches a secure, reliable, efficient, and easy-to-configure printing method through a firewall without the intervention of a network administrator (0019-0020). This would also provide the benefit of securely and efficiently submit print jobs to a printer over a network.

Regarding claim 24, which depends on claim 23, Suzuki teaches obtaining registration information about the devices from a unit list table, and ROMs of all the devices, storing device information regarding the devices connected to the network-- *querying the document production devices* (col.20, lines 9-67).

Regarding claim 26, which depends on claim 19, Suzuki teaches obtaining registration information about the devices from a unit list table, and ROMs of all the devices, storing device information regarding the devices connected to the network (col.20, lines 9-67). Suzuki fails to explicitly teach *a production queue*. However, Keeny discloses a queue, located on the server, for storing one or more print jobs(0077). It would have been obvious to a person of ordinary skill

in the art at the time of the invention to have combined Suzuki, and Keeny, because Keeny teaches a secure, reliable, efficient, and easy-to-configure printing method through a firewall without the intervention of a network administrator (0019-0020). This would also provide the benefit of securely and efficiently submit print jobs to a printer over a network.

Regarding claim 27, which depends on claim 26, Suzuki teaches obtaining registration information about the devices from a unit list table, and ROMs of all the devices, storing device information regarding the devices connected to the network (col.20, lines 9-67). Suzuki fails to explicitly teach *a production manager in electronic communication with the production queue.* However, Keeny discloses the queue, located on the server, is maintained by a trusted party (0074, 0077). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined Suzuki, and Keeny, because Keeny teaches a secure, reliable, efficient, and easy-to-configure printing method through a firewall without the intervention of a network administrator (0019-0020). This would also provide the benefit of securely and efficiently submit print jobs to a printer over a network.

Regarding claim 28, which depends on claim 19, Suzuki teaches obtaining registration information about the devices from a unit list table, and ROMs of all the devices, storing device information regarding the devices connected to the network (col.20, lines 9-67). Suzuki fails to explicitly teach *a server locator.* However, Keeny discloses communications between the client and the server (0078). It would have been obvious to a person of ordinary skill in the art at the time of the invention to have combined Suzuki, and Keeny, because Keeny teaches a secure,

reliable, efficient, and easy-to-configure printing method through a firewall without the intervention of a network administrator (0019-0020). This would also provide the benefit of securely and efficiently submit print jobs to a printer over a network.

Regarding independent claim 29, Suzuki teaches displaying candidate devices, which meet a certain criteria, upon the selection of an option regarding the certain criteria on a client computer's software image —*production devices capable of providing the selected services, and obtain a selection of one or more of the identified production devices from the production client*, and print options for performing printing—*one or more services for producing a producing request, deliver the captured request to a selected production client*-- (col.19, lines 27-67, col.21, lines 57-col.22, line 67).

Furthermore, Suzuki teaches a window for selecting candidate devices, such as printers, meeting certain setting conditions, and a software automatically displaying candidates meeting the specified condition-- *automatically identify one or more, if any, production devices capable of providing the selected services* (col.19, lines 23-53, col.20, lines 57-col.22, line 67).

Regarding claim 31, which depends on claim 30, Suzuki discloses a software image which allows a user to print processing to be started by selecting a "print" option for sending a print job to a printer from a personal computer over a network(col.6, lines 37-67, col.19, lines 7-67, fig.l). Suzuki fails to explicitly teach deliver the production plan in a device specific *generic format* However, Keeny discloses the conversion of a document to a pre-printing format, such as Postscript printer language to be submitted to the server (0022-0028, 0037, 0121). It would have

been obvious to a person of ordinary skill in the art at the time of the invention to have combined Suzuki, and Keeny, because Keeny teaches a secure, reliable, efficient, and easy-to-configure printing method through a firewall without the intervention of a network administrator (0019-0020). This would also provide the benefit of securely and efficiently submit print jobs to a printer over a network.

Regarding claim 34, which depends on claim 29, Suzuki teaches obtaining registration information about the devices from a unit list table—*querying the services database* --, and ROMs of all the devices, storing device information regarding the devices connected to the network (col.20, lines 9-67).

Regarding claim 35, which depends on claim 34, Suzuki teaches obtaining registration information about the devices from a unit list table, and ROMs of all the devices—*querying document production devices* --, storing device information regarding the devices connected to the network (col.20, lines 9-67).

Regarding claim 36, which depends on claim 34, Suzuki discloses adding, and updating information about a device available on the network—*update the services available on the document production devices but not currently represented in the services database*-- (col.20, lines 9-67).

Regarding claim 37, which depends on claim 36, Suzuki discloses adding, and updating —*identification new devices*-- information about a device available on the network (col.20, lines 9-67).

Claim 39 is directed towards a computer system for implementing the steps found in claim 27, and therefore is similarly rejected.

(10) Response to Argument

Regarding claim 1 the Appellant submits that Vanderlinden mentions nothing of presenting a second user interface for selecting at least one document production device capable of providing services selected through the first user interface (pages 6, and 9-10). The Examiner disagrees, because Vanderlinden teaches the display of an automatically updated graphical user interface for selecting a newly available printing option available at a printer, such as an option to print to transparent media at a reproduction center (0042, 0051, 0059, fig.3). For example, as a user chooses various printed options, paper format, etc., a new printer comes online at a reproduction center, the interface is automatically updated to include the option to print on transparent media using the newly installed printer, which is the only printer having such capabilities. The user can then access the pull-down menu which has been updated with the newly added option, and choose that option to print the document on the **transparent media on the newly added printer** *using the print options utilized before the interface was updated*. Thus, the user is able to indirectly select the newly added printer, using the updated interface—*second interface*--since it is the printer capable of printing to transparent media.

Claim 9 is rejected at least based on the same rationale shown above.

Regarding claim 19, Appellant argues that the figures and passages quoted by the Examiner do not disclose a user interface having controls for selecting services for producing a production request (page 12). The Examiner disagrees, because Suzuki mentions a graphical user interface, which has various selection menu options, such as a printer device, image editing,

print, etc. Once the option has been chosen, a second window is presented listing devices capable of providing services associated with the selected option (col.19, lines 7-67, fig.26, 32-36, 38-42). In other words, the menu options allow a user to send a request to the selected device for producing documents, such as the printing of data.

Regarding claims 29, 31, 34-37, and 39, Appellant argues that nothing cited in Suzuki shows a production client capturing a production request (page 12). The Examiner disagrees, because Suzuki teaches printing a document, such as an image, by a selected device (col.19, lines 32-40, 58-67, col.1, lines 18-23). In other word the printer captures data sent from the device that allows the printer selection of the print request.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

Conclusion

For all of the reasons stated above the Examiner believes that the rejections should be sustained.

Respectfully submitted,

CESAR PAULA
PRIMARY EXAMINER
Cesar B. Paula
October 13, 2006

STEPHEN HONG
SUPERVISORY PATENT EXAMINER
Stephen Hong, SPE 2178
SH(conf.)

Heather Herndon, SPE 2176
HH(conf.)